

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 08-20289

v.

Hon. George Caram Steeh

DAVID ERIKE MACLLOYD,

Defendant.

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ORDER DENYING RENEWED MOTION FOR
SENTENCE REDUCTION (ECF NO. 343)

Before the court is the fourth motion for a sentence reduction or compassionate release Defendant has filed within the last three years. See 18 U.S.C. § 3582(c); ECF Nos. 305, 315, 330, 343. In his most recent motion, Defendant seeks a reduction in sentence based upon Amendment 782 of the United States Sentencing Guidelines. ECF No. 343. The court denied Defendant's motion based upon the same argument on December 5, 2019. ECF Nos. 305, 308. The Sixth Circuit dismissed his appeal as untimely. ECF No. 313.

Defendant challenges the drug quantity attributed to him and argues that he is eligible for a sentence reduction under Amendment 782, which lowered the base offense levels for most drug trafficking crimes. Contrary

to Defendant's claim, he does not present new evidence in his motion, but merely new argument. The court discerns no legal or procedural basis to revisit the matter, as a final adjudication regarding his drug quantity and his eligibility for a sentence reduction has been made, by this court and the Sixth Circuit. See ECF No. 308 (denying Defendant's motion for sentence reduction under Amendment 782 because a "conservative reading of the transcripts supports a finding that defendant was responsible for an amount of cocaine in the ballpark of 800 kilograms, and easily over 450 kilograms"); *United States v. MacLloyd*, 526 Fed. Appx. 434, 447 (6th Cir. 2013) ("The district court attributed 800 kilograms to Defendant. This was a reasonable estimate based on the testimony."); *United States v. Black*, No. 07-CR-20535, 2021 WL 1224961, at *1 (E.D. Mich. Apr. 1, 2021) (denying renewed motion for sentence reduction based upon the "law of the case" doctrine because the defendant's arguments were previously rejected by the Sixth Circuit).

Accordingly, IT IS HEREBY ORDERED that Defendant's motion for a sentence reduction (ECF No. 343) is DENIED.

Dated: May 19, 2022

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on May 19, 2022, by electronic and/or ordinary mail and also on David Erike MacLloyd #20156-039, FCI McKean, Federal Correctional Institution, P.O. Box 8000, Bradford, PA 16701.

s/Brianna Sauve
Deputy Clerk